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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Marc K. HELLERSTEINApplication No./Patent No.: 10/528,860 Filed/Issue Date: September 4, 2003Entitled: METHODS FOR MEASURING THE RATES OF REPLICATION AND DEATH OF MICROBIAL  
INFECTIOUS AGENTS IN AN INFECTED HOST ORGANISMThe Regents of the University of California, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael R. Ward  
Signature

7/06/05  
Date

Michael R. Ward  
Printed or Typed Name

(415) 268-8237  
Telephone Number

Attorney of Record  
Title

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to fax no. (703) 872-8306, on the date shown below.

Dated: July 7, 2005

Signature: Laure Tsang (Laure Tsang)

sf-1960477

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Docket No.: 416272003600

**ASSIGNMENT****U.C. Case No. B01-073-1**

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Marc K. HELLERSTEIN

4 Anson Way, Kensington, CA 94708

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located at 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in UCB Case No. B01-073-1 entitled: METHOD FOR MEASURING THE RATES OF REPLICATION AND DESTRUCTION OF MICROBIAL INFECTIOUS AGENTS IN AN INFECTED HOST ORGANISM:

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above named persons as inventors
- (c)   X   U.S. application serial no. 10/526,860, filed on March 2, 2005 entitled: METHODS FOR MEASURING THE RATES OF REPLICATION AND DEATH OF MICROBIAL INFECTIOUS AGENTS IN AN INFECTED HOST ORGANISM
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

31 day of May, 2005

Signature of Inventor(s)

M. Hellerstein  
Marc K. HELLERSTEIN

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